

be not sold by the sheriff he shall charge only one-fourth of the poundage fees aforesaid.

The nature of poundage fees; the mode of recovering them, and to what extent they will be allowed. *Cape Sable Co.'s Case*, 3 Bl. 606. See also, *Howard v. Levy Court*, 1 H. & J. 558.

How poundage fees are to be collected. *Hall v. Belt*, 8 G. & J. 470.

When the sheriff's claim for poundage fees is not defeated; irregular execution; execution stayed. *Gurley v. Lee*, 11 G. & J. 395.

As a rule, the defendant, and not the plaintiff, is liable for poundage fees. They must be ascertained by the sheriff and demanded. *Eakle v. Smith*, 24 Md. 362. See also. *Gilmor v. Brien*, 1 Md. Ch. 40; *Gurley v. Lee*, 11 G. & J. 395; *Howard v. Levy Court*, 1 H. & J. 558. But see *Fisher v. Beatty*, 3 H. & McH. 148.

An agreement by an assignee of judgments, "to pay all legal costs arising thereon," does not include poundage fees. *Gilmor v. Brien*, 1 Md. Ch. 40.

When an attorney is liable to a sheriff for his poundage fees. If the land seized is not liable to attachment, the sheriff is entitled to one-fourth of the usual fees, to be paid by the party issuing the attachment. *Maddox v. Cranch*, 4 H. & McH. 343.

The sheriff may recover his poundage fees in a suit instituted by the state, although the execution has been countermanded by act of assembly. *Stewart v. Dorsey*, 3 H. & McH. 401.

See sec. 28 and notes.

### Surveyors.

1904, art. 36, sec. 30. 1888, art. 36, sec. 30. 1860, art. 38, sec. 29. 1849, ch. 549, sec. 1.

30. The surveyors of the several counties and the city of Baltimore shall each be entitled to charge for his individual services, under warrant of survey or re-survey directed from the land office, under orders or warrants of re-survey directed from the courts of law, and under orders from courts of equity a *per diem* of four dollars for each day he may necessarily be engaged in performing the duty the said orders and warrants enjoin on the said surveyors, and when the same shall be required by the person for whom the services shall be rendered shall state his account of such services under oath.

As to "surveyors," see art. 91.